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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,951	12/27/2000	Benoit Pol Menez	PU000188	6467

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EXAMINER

TRAN, TRANG U

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/748,951

Applicant(s)

MENEZ, BENOIT POL

Examiner

Trang U. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 and 5-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojiro Yamada (GB 2 257 000 A) in view of Kitamura et al (US 5,835,671).

In considering claim 1, Kojiro Yamada discloses all the claimed subject matter, note 1) the claimed accessing an on-screen display for the receiver is met by the superimpose circuit 6 which is superimpose character information received from a display control unit 12 onto the primary color signals and applies the composite signal to a CRT drive circuit 10 (Figs. 1-5, page 7, line 1 to page 8, line 8), and 2) the claimed selecting a language in which on-screen displays are broadcast on the receiver by entering a single selection on the on-screen display is met by the language select key 22 on the remote controller 18 (Figs. 1-5, page 8, line 9 to page 11, line 19). However, Kojiro Yamada does not specifically disclose the claimed selecting a language in which the on-screen displays and the audio programs are broadcast on the receiver by entering a single selection on the on-screen display.

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Kitamura et al teaches that different audio languages are synchronized with different language captions by using the audio data identification number data (col. 4, lines 1-12).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the synchronizing of the audio signals of different languages and language captions as taught by Kitamura et al into Kojiro Yamada's system in order to synchronize audio signal and caption data when different language is selected for the caption data.

In considering claim 2, the claimed further comprising the step of saving the selection of the language to a memory is met by the EEPROM 13 (page 11, lines 14-19) of Kojiro Yamada.

In considering claim 5, the claimed wherein a remote control device and a microprocessor are used to select the language is met by the display control unit 12 and the remote controller 18 (Fig. 1, page 7, line 17 to page 18, line 16) of Kojiro Yamada.

Claims 6-7 are rejected for the same reason as discussed in claims 1-2, respectively.

In considering claim 8, the claimed wherein the single selection selects the language in which all selectable display and audio features of the digital receiver are displayed and broadcast even if certain ones of said display and audio features are not selected by a user is met by Fig. 5, page 9, line 18 to page 10, line 17 of Kojiro Yamada and col. 4, lines 1-12 of Kitamura et al.

Claim 9 is rejected for the same reason as discussed in claim 5.

Claims 10-11 are rejected for the same reason as discussed in claims 3-4, respectively.

4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shibamiya et al. (US Patent No. 5,926,174) in view of Kitamura et al (US Patent No. 5,835,671).

In considering claim 1, Shibamiya et al. discloses all the claimed subject matter, note 1) the claimed accessing an on-screen display for the receiver is met by the OSD (on-screen display) (Figs. 34-38, col. 23, line 62 to col. 24, line 49), and 2) the claimed selecting a language in which on-screen displays are broadcast on the receiver by entering a single selection on the on-screen display is met by the selected "LANGUAGE" item (Figs. 34-38, col. 23, line 62 to col. 24, line 49). However, Shibamiya et al do not specifically discloses the claimed selecting a language in which the on-screen displays and the audio programs are broadcast on the receiver by entering a single selection on the on-screen display.

Kitamura et al teaches that different audio languages are synchronized with different language captions by using the audio data identification number data (col. 4, lines 1-12).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the synchronizing of the audio signals of different languages and language captions as taught by Kitamura et al into Shibamiya et al' system in order to synchronize audio signal and caption data when different language is selected for the caption data.

In considering claim 2, the claimed further comprising the step of saving the selection of the language to a memory is met by the memory 503 (Fig. 31, col. 23, lines 8-61) of Shibamiya et al.

In considering claim 3, the claimed wherein the on-screen displays including close captioning is met by the selected "LANGUAGE" item (Figs. 34-38, col. 23, line 62 to col. 24, line 49) of Shibamiya et al.

In considering claim 4, the claimed wherein the on-screen displays including teletext is met by the selected "LANGUAGE" item (Figs. 34-38, col. 23, line 62 to col. 24, line 49) of Shibamiya et al.

In considering claim 5, the claimed wherein a remote control device and a microprocessor are used to select the language is met by the system control 191 and the key matrix circuit 192 (Figs. 40A-40C, col. 25, lines 1-62) of Shibamiya et al.

Claims 6-7 are rejected for the same reason as discussed in claims 1-2, respectively.

In considering claim 8, the claimed wherein the single selection selects the language in which all selectable display and audio features of the digital receiver are displayed and broadcast even if certain ones of said display and audio features are not selected by a user is met by the selected "LANGUAGE" item (Figs. 34-38, col. 23, line 62 to col. 24, line 49) of Shibamiya et al and col. 4, lines 1-12 of Kitamura et al.

Claim 9 is rejected for the same reason as discussed in claim 5.

Claims 10-11 are rejected for the same reason as discussed in claims 3-4, respectively.

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojiro Yamada (GB 2 257 000 A) in view of Kitamura et al (US 5,835,671) and further in view of Hanaya et al. (US Patent No. 6,519,009 B1).

In considering claim 3, the combination of Kojiro Yamada and Kitamura et al discloses all the limitations of the instant invention as discussed in claim 1, except for providing the claimed wherein the on-screen displays including close captioning. Hanaya et al teach that the MPEG video decoder 25 generates a predetermined OSD data in correspondence to the control to write the data into the OSD area 25aA (Fig. 13) of the DRAM 25a, then the data is further read and output, this allows predetermined characters, figures (for example, a menu (Fig. 17)), and a general program guide (Fig. 19) to be output appropriately to a monitor device 4 to be displayed (col. 7, lines 26-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the OSD data (includes close captioning data) as taught by Hanaya et al into the combination of Kojiro Yamada and Kitamura et al's system in order to simplify the process of selecting the desired video program by using the television guide.

In considering claim 4, the combination of Kojiro Yamada and Kitamura et al discloses all the limitations of the instant invention as discussed in claim 1, except for providing the claimed wherein the on-screen displays including teletext. Hanaya et al teach that the MPEG video decoder 25 generates a predetermined OSD data in correspondence to the control to write the data into the OSD area 25aA (Fig. 13) of the DRAM 25a, then the data is further read and output, this allows predetermined

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characters, figures (for example, a menu (Fig. 17)), and a general program guide (Fig. 19) to be output appropriately to a monitor device 4 to be displayed (col. 7, lines 26-35). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the OSD data (includes teletext data) as taught by Hanaya et al into the combination of Kojiro Yamada and Kitamura et al's system in order to simplify the process of selecting the desired video program by using the television guide.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Trang U. Tran** whose telephone number is **(703) 305-0090**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W. Miller**, can be reached at **(703) 305-4795**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:


(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

TT TT
December 28, 2003



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600